

IN IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Wayne Emory Drost,) C/A No.: 1:18-2681-JMC-SVH
)
)
Plaintiff,)
)
)
vs.)
)
) ORDER
Lt. Christy Leopard; Capt. Marvin)
Nixs; and Pickens County)
Detention Center,)
)
Defendants.)
)
)

This matter comes before the court on the motion of Defendants to file under seal pages 1–62 of Exhibit A to their motion for summary judgment. [ECF No. 23]. The court has reviewed the brief submitted on this matter. In accordance with *In re Knight Publishing Company*, 743 F.2d 231 (4th Cir. 1984), the court grants the foregoing motion to seal on a temporary basis. Because *In re Knight* requires the court to provide public notice of a party's request to seal and allow interested parties an opportunity to object, this order temporarily grants the motion to seal until March 16, 2019. If in the interim period any interested party wishes to object to the permanent sealing of the documents at issue, that party may file a notice of appearance and state its objections. In the event any objections are filed, the court will schedule a hearing on the motion to seal and hear the arguments of all

parties. Should no objections be filed by March 16, 2019, the temporary order will automatically convert to a permanent order to seal.

The court considered less drastic alternatives to sealing the requested documents. The court found that less drastic alternatives were not appropriate in this case, as counsel for Defendants represents the documents at issue contain Plaintiff's personal medical information. Counsel further represents redaction of these documents would black out entire pages of medical records.

The court finds persuasive the arguments of counsel in favor of sealing the documents and rejecting the alternatives. The records contain confidential medical information that could possibly damage Plaintiff if disclosed. The court notes that a litigant's interest in nondisclosure of such personal information outweighs the public's right to access the document. The confidential and sensitive nature of the medical information in the documents at issue requires that the documents be sealed. Therefore, the court grants the motion to seal [ECF No. 23] in accordance with the limitations stated herein.

IT IS SO ORDERED.



February 15, 2019
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge